

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Rule making related to furbearer hunting and trapping

The Natural Resource Commission (Commission) hereby amends Chapter 108, “Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red and Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf and Spotted Skunk Seasons,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is adopted under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.38, 481A.39 and 481A.87.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 481A.87.

Purpose and Summary

Chapter 108 sets the season dates, bag limits, possession limits, and areas open to hunting or trapping furbearers. This rule making extends the regular furharvest season by one month. The season will end on the last day of February (February 28), rather than the last day of January (January 31). This rule making also establishes a continuous open season statewide for raccoon hunting and trapping. This amendment is biologically responsible, as required by law. It will also increase recreational opportunities for Iowa fur harvesters while reducing negative social issues associated with high raccoon and other furbearer densities.

Public Comment and Changes to Rule Making

Notice of Intended Action for this rule making was published in the Iowa Administrative Bulletin on January 11, 2023, as **ARC 6815C**. An Amended Notice of Intended Action was published in the Iowa Administrative Bulletin on March 8, 2023, as **ARC 6948C**.

Public hearings were held on February 2, 2023, at 12 noon in Conference Room 4E, Wallace State Office Building, and on March 28, 2023, at 12 noon via video/conference call. Two people attended the in-person meeting, and no one attended the virtual meeting.

The Commission received 117 total comments. Seventy-five comments were in support of the amendments, 2 were partially supportive, and 40 opposed the amendments. The majority of commenters supporting the amendments believed a change from the Notice should be made to limit to private lands the continuous hunting and trapping of raccoons. These commenters expressed concern for negative interactions on public lands and roadways during nontraditional hunting or trapping seasons.

The Commission understands the concerns expressed by stakeholders and has made a change from the Notice to limit the continuous hunting and trapping of raccoons to lands in private ownership.

Adoption of Rule Making

This rule making was adopted by the Commission on April 13, 2023.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule making is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Effective Date

This rule making will become effective on June 7, 2023.

The following rule-making actions are adopted:

ITEM 1. Amend rule 571—108.1(481A), introductory paragraph, as follows:

571—108.1(481A) Mink, muskrat and weasel. Open season for the taking of mink, muskrat and weasel shall be from 8 a.m. on the first Saturday in November through ~~January 31~~ February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 2. Amend rule 571—108.2(481A) as follows:

571—108.2(481A) ~~Raccoon, badger~~ Badger, opossum and striped skunk. Open season for the taking of ~~raccoon~~, badger, opossum, and striped skunk shall be from 8 a.m. on the first Saturday in November through ~~January 31~~ February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 3. Renumber rules **571—108.3(481A)** to **571—108.9(481A)** as **571—108.4(481A)** to **571—108.10(481A)**.

ITEM 4. Adopt the following new rule 571—108.3(481A):

571—108.3(481A) Raccoon.

108.3(1) Hunting. Continuous open season on private lands. Entire state open. No bag or possession limit.

108.3(2) Trapping. Continuous open season using cage traps and dog-proof traps on private lands. Trapping limitations described in 571—Chapter 110 apply to trapping raccoons from 8 a.m. on the first Saturday in November through February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 5. Amend renumbered rule 571—108.4(481A) as follows:

571—108.4(481A) Red and gray fox. Open season for the taking of red and gray fox shall be from 8 a.m. on the first Saturday in November through ~~January 31~~ February 28 of succeeding year. Entire state open. No bag or possession limit.

ITEM 6. Amend renumbered subrule 108.6(2) as follows:

108.6(2) Trapping. Open season for trapping coyote shall be 8 a.m. on the first Saturday in November through ~~January 31~~ February 28 of succeeding year. Entire state open. No bag or possession

limit. Any conservation officer or wildlife biologist may authorize a landowner, tenant or designee to trap coyotes causing damage outside the established trapping season dates.

ITEM 7. Amend renumbered subrule 108.8(4) as follows:

108.8(4) *Season dates.* The season for taking river otters and bobcats opens on the first Saturday in November and closes on ~~January 31~~ February 28 of the following year.

[Filed 4/13/23, effective 6/7/23]

[Published 5/3/23]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 5/3/23.